

JUDICIAL COUNCIL OF THE SIXTH CIRCUIT

MICHIGAN-OHIO-KENTUCKY-TENNESSEE

In re:
Complaint of Judicial Misconduct

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*Nos. 06-17-90132/
*133/134/135/136/
*137/138/139
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MEMORANDUM AND ORDER

This complaint of judicial misconduct was filed by [REDACTED] (“complainant”) against the Honorable [REDACTED], the Honorable [REDACTED], the Honorable [REDACTED], the Honorable [REDACTED], the Honorable [REDACTED], the Honorable [REDACTED], and the Honorable [REDACTED] (“subject judges”). The subject judges sat on the panels that dismissed three separate appeals filed by the complainant over the last several years. The complaint presents a litany of alleged factual and legal errors contained in the three separate opinions.

After conducting an initial review, the chief judge may dismiss a complaint as to which he concludes: (A) that the claimed conduct, even if it occurred, “is not prejudicial to the effective and expeditious administration of the business of the courts and does not indicate a mental or physical disability resulting in inability to discharge the duties of judicial office”; (B) that the complaint “is directly related to the merits of a decision or procedural ruling”; (C) that the complaint is “frivolous,” a term that applies to charges that are wholly unsupported; or (D) that the complaint “lack[s] sufficient evidence to raise an inference that misconduct has occurred.” Rule 11(c)(1)(A)-(D), Rules for Judicial-Conduct and Judicial-Disability Proceedings.

This is the fifth complaint the complainant has filed in several years. His first four complaints essentially repeated the same allegations against the district and magistrate judges involved in two separate civil cases. Those complaints were all summarily dismissed. Like the first four, this complaint is simply an expression of complainant’s dissatisfaction with the outcome of those cases, and the court of appeals’ failure to vindicate his dissatisfaction by reversing the decisions below. This complaint is therefore subject to dismissal as directly related to the merits of judicial decisions made in the underlying proceedings, pursuant to 28 U.S.C. § 352(b)(1)(A)(ii) and Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

Accordingly, it is **ORDERED** that the complaint be dismissed pursuant to 28 U.S.C. § 352(b)(1)(A)(ii) and Rule 11(c)(1)(B) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

/s/ R. Guy Cole, Jr.
Chief Judge

Date: June 8, 2018